

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

BOBBY W. ENDSLEY,

Plaintiff,

No. CIV S-04-0990 FCD GGH P

vs.

YOLO COUNTY SHERIFF'S  
DEPARTMENT, et al.,

Defendants.

ORDER

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with an action filed pursuant to 42 U.S.C. § 1983. By order filed September 24, 2004, plaintiff's complaint was dismissed with leave to file an amended complaint. Plaintiff has filed an amended complaint.

The amended complaint states a cognizable claim for relief pursuant to 42 U.S.C. § 1983 and 28 U.S.C. § 1915A(b). If the allegations of the amended complaint are proven, plaintiff has a reasonable opportunity to prevail on the merits of this action.

In accordance with the above, IT IS HEREBY ORDERED that:

1. Service is appropriate for the following defendants: Yolo County Sheriff's Department; Yolo County Sheriff's Department Correctional Officer (C/O) Banuelos; Yolo County Sheriff's Dept. C/O Fristo; Yolo County Sheriff's Dept. C/O Gaines.

2. The Clerk of the Court shall send plaintiff four (4) USM-285 forms, one

1 summons, an instruction sheet and a copy of the amended complaint filed October 18, 2004.

2 3. Within thirty days from the date of this order, plaintiff shall complete the  
3 attached Notice of Submission of Documents and submit the following documents to the court:

4 a. The completed Notice of Submission of Documents;

5 b. One completed summons;

6 c. One completed USM-285 form for each defendant listed in number 1  
7 above; and

8 d. Five (5) copies of the endorsed amended complaint filed October 18,  
9 2004.

10 4. Plaintiff need not attempt service on defendants and need not request waiver of  
11 service. Upon receipt of the above-described documents, the court will direct the United States  
12 Marshal to serve the above-named defendants pursuant to Federal Rule of Civil Procedure 4  
13 without payment of costs.

14 DATED: 2/18/05

15 /s/ Gregory G. Hollows

16 UNITED STATES MAGISTRATE JUDGE

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NOTICE OF SUBMISSION

Defendants.

OF DOCUMENTS

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Plaintiff hereby submits the following documents in compliance with the court's  
order filed \_\_\_\_\_:

1 completed summons form

4 completed USM-285 forms

5 copies of the October 18, 2004  
Amended Complaint

DATED:

\_\_\_\_\_  
Plaintiff